

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DONNIE JAVON SWIFT,

Petitioner,

v.

SCI PINE GROVE, et al.,

Respondents.

Civil Action No. 10-233 Erie

MEMORANDUM ORDER

This civil rights action was received by the Clerk of Court on September 17, 2010, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on March 2, 2011 [ECF No. 14], recommended that the action be dismissed for failure to prosecute. Petitioner was allowed fourteen (14) days from the date of service to file objections. Service was made on Petitioner by certified mail. No objections were filed. After de novo review of the matter and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 22nd day of March, 2011;

IT IS HEREBY ORDERED that the case is DISMISSED for failure to prosecute.

The Report and Recommendation of Magistrate Judge Baxter, filed March 2, 2011 [ECF No. 14], is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge